

MULHOLLAND MINION

## MEMO ENDORSED

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April 15, 2022

Via ECF

The Honorable Louis L. Stanton ✓  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

USDC SDNY
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Re: Fidelina Luna v. Campbell Soup Company, Pepperidge Farm, Incorporated  
and Stephen M. Kovatch  
**Case No.: 1:21-CV-00962-LLS**  
Date of Accident: April 24, 2019  
Our File No.: 901-7883

So Ordered  
Louis L. Stanton

Dear Judge Stanton:

4/18/22

In connection with the above-referenced matter, we represent Defendants, Campbell Soup Company, Pepperidge Farm, Incorporated and Stephen M. Kovatch.

We respectfully move the Court to have sensitive information contained in Court filings consisting of Exhibits that were filed on April 5, 2022 with our Letter Opposition (ECF #49), dated April 5, 2022, to Plaintiff's Letter Motion (43), dated March 23, 2022 remain under seal.

Some of those Exhibits contained sensitive information including dates of births and social security numbers, which should be redacted pursuant to FRCP Rule 5.2(a)(1), (2).

Today we contacted the Clerk of the Court and had the Exhibits containing the sensitive information placed under emergency seal.

The Exhibits that contain sensitive information are as follows:

- (1) Exhibit #6, Defendant's Response to Plaintiff's Notice and Combined Demands (ECF #49-6) which contains some recorded statements containing dates of birth and social security numbers and Police Accident Report, which contains dates of birth and license numbers;
- (2) Exhibit #9, Defendant's Response to Plaintiff's Notice for Discovery & Inspection (ECF #49-9) which contains copies of a license with a date of birth and license

number, a Medical Examiner's Certificate, which contains a license number, and written notations containing residential address;


- (3) Exhibit #10, Police Accident Report and Overlay (ECF #49-10), which contains dates of birth and license numbers; and
- (4) Exhibit #11, Transcript of Deposition of Defendant, Stephen M. Kovatch (ECF #49-11), which contains year of birth.

On behalf of Defendants, Campbell Soup Company, Pepperidge Farm, Incorporated and Stephen M. Kovatch, we respectfully request that the Court issue an order to have those Exhibits #'s 6(ECF #49-6), 9(ECF #49-9), 10(ECF #49-10), 11(ECF #49-11) pursuant to FRCP Rule 5.2(a)(1), (2) remain under seal.

We will refile the Exhibits #'s 6(ECF #49-6), 9(ECF #49-9), 10(ECF #49-10), 11(ECF #49-11) with the appropriate redactions.

Respectfully Submitted,

MULHOLLAND MINION DAVEY  
McNIFF & BEYER

  
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JOHN L. MARSIGLIANO, ESQ. (JLM 1544)  
Attorney for Defendants CAMPBELL SOUP  
COMPANY, PEPPERIDGE FARM, INCORPORATED  
AND STEPHEN M. KOVATCH

cc: **Via ECF**  
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